

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 25120 of 2005

Between:

Kilambi Seetha Devi

..... PETITIONER

AND

The Special Officer and Competent Authority,

Urban Land Ceiling, 5th Lane,

Arundalpet, Guntur, Guntur District.

.....RESPONDENT

ORDER:

Seeking a Mandamus, declaring the action of the respondent in not considering the representation dated 18.05.2005 in accordance with Letter No.3/1/97, ULC-I, Government of India, Ministry of Urban Affairs and Employment, dated 21.05.1997, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

It is stated that the petitioner is the daughter of Echampati Venkata Rangacharyulu, who filed declaration in U.L.C.No.452/76. It is also stated that in the said declaration, the name of the petitioner was noted at Col.No.14 in Annexure-A of Form-I, stating that she is the major daughter on the date of commencement of the Urban Land (Ceiling & Regulation) Act, 1976 (for short 'the Act'). It is further stated that the Special Deputy Tahsildar recorded a statement on 21.03.1978 and 02.01.1979 stating that the petitioner is the major daughter of the declarant. But the respondent has not allotted any share to the petitioner in the property of her father. It is stated that as per circular of the Government of India in Letter No.3/1/97 U.C.U.(2), dated 21.05.1997, the petitioner is entitled to a share on par with major sons, and accordingly, the petitioner has filed a representation before the respondent on 18.05.2005, but the same has not been considered and disposed of by the respondent. It is further stated that without issuing any notice, a draft statement has been prepared under Section 8(2) of the Act, but no final orders have been passed.

Having regard to the facts and circumstances of the case, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition, with a direction to the respondent to consider and pass appropriate orders on the representation of the petitioner dated 18.05.2005, in accordance with law, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 25.11.2005

Dsr